1	Matthew I. Knepper, Esq. Nevada Bar No. 12796		
2	Miles N. Clark, Esq. Nevada Bar No. 13848		
3	KNEPPER & CLARK LLC		
	10040 W. Cheyenne Ave., Suite 170-109 Las Vegas, NV 89129		
4	Phone: (702) 825-6060 Fax: (702) 447-8048		
5	Email: matthew.knepper@knepperclark.com		
6	Email: miles.clark@knepperclark.com		
7	David H. Krieger, Esq. Nevada Bar No. 9086		
8	HAINES & KRIEGER, LLC		
	8985 S. Eastern Ave., Suite 350 Henderson, NV 89123		
9	Phone: (702) 880-5554 Fax: (702) 385-5518		
10	Email: dkrieger@hainesandkrieger.com		
11	Attorneys for Plaintiff		
12	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA		
13	SHARON BARNUM, JERRY P. CABEBE,)		
14	ROBERT SUSTRIK, and all similarly situated individuals,	Case No. 2:16-cv-02866-RFB-NJK	
15	Plaintiffs,	STIPULATION TO CONTINUE	
16	vs.	BRIEFING SCHEDULE ON MOTION FOR CLASS CERTIFICATION (Second Request)	
17	EQUIFAX INFORMATION SERVICES, LLC,	•	
18	Defendant.		
19	On August 24, 2017, the Parties Stipulated ¹ to Plaintiffs' withdrawal, without prejudice,		
20	of their pending Motion for Class Certification and Appointment of Class Counsel ² ("Plaintiffs'		
	Motion"). On November 7, 2017, the Court entered its Order granting the Parties' Stipulation,		
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23	¹ ECF Dkt. No. 40. ² Plaintiffs filed the Class Certification Motion originally on April 24, 2017. ECF Dkt. No. 25.		
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setting December 8, 2017 for Plaintiffs' deadline to move for class certification, which was consistent with a previously pending deadline for dispositive motions.

On October 20, 2017, Magistrate Judge Koppe ordered that the then pending discovery deadline of November 8, 2017 be extended to January 8, 2018, with dispositive motions due on February 7, 2018.¹ Accordingly, the Parties stipulate the current December 8, 2017 class certification deadline will be continued and the related briefing schedule will proceed as follows:

- Plaintiffs will file a Motion for Class Certification and Appointment of Class Counsel on or before February 8, 2018.
- Defendant will file a Response to Plaintiffs' Motion for Class Certification and Appointment of Class Counsel on or before March 12, 2018.
- Plaintiffs will file a Reply in Support of their Motion for Class Certification and Appointment of Class Counsel on or before March 26, 2018.

The purpose of this request is to afford both parties adequate time to conduct fact discovery before briefing the propriety of class certification. The new proposed schedule is consistent with the Supreme Court's repeated admonition that district courts must conduct a "rigorous analysis" of the relevant facts and law when considering whether to certify a proposed class. *See Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 350-51 (2011) (courts must consider the merits of a case to the extent necessary to determine whether class certification is appropriate); *accord Coopers & Lybrand v. Livesay*, 437 U.S. 463, 469 n. 12 (1978) ("class determination generally involves considerations that are 'enmeshed in the factual and legal issues comprising the plaintiff's cause of action" (citation omitted)); *General Telephone Co. of the Southwest v. Falcon*, 457 U.S. 147, 160 (1982) (same).

This is the second stipulation to continue the class certification briefing schedule. The stipulation is filed in good faith and is not intended to cause delay. Respectfully submitted this 10th day of November, 2017.

¹ ECF Dkt. No. 63.

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3	/s/ Matthew I. Knepper Matthew I. Knepper, Esq.	/s/ Bradley T. Austin Bradley T. Austin, Esq.
4	Nevada Bar No. 12796 Miles N. Clark, Esq.	Nevada Bar No. 13064 SNELL & WILMER, LLP
5	Nevada Bar No. 13848 Knepper & Clark, LLC	3883 Howard Hughes Pkwy, Suite 1100 Las Vegas, NV 89169
6	10040 W. Cheyenne Ave., Suite 170-109 Las Vegas, NV 89129	Tel: 702-784-5200 Fax: 702-784-5252
7	Email: matthew.knepper@knepperclark.com Email: miles.clark@knepperclark.com	Email: baustin@swlaw.com
8	David H. Krieger, Esq.	Zachary A. McEntyre (admitted <i>pro hac vice</i>) Misty L. Peterson (admitted <i>pro hac vice</i>)
9	Nevada Bar No. 9086 HAINES & KRIEGER, LLC	KING & SPALDING LLP 1180 Peachtree Street N.E.
10	8985 S. Eastern Avenue, Suite 350 Henderson, NV 89123	Atlanta, Georgia 30309-3521 Tel: (404) 572-4600
11	Email: dkrieger@hainesandkrieger.com	Fax: (404) 572-5100 Email: zmcentyre@kslaw.com
12	Attorneys for Plaintiffs	Email: mpeterson@kslaw.com
13		Bryan E. Zubay (admitted <i>pro hac vice</i>) KING & SPALDING LLP
14		1100 Louisiana Street, Suite 4000 Houston, Texas 77002-5213
15		Tel: (713) 276-7358 Fax: (713) 751-3290
16		Email: bzubay@kslaw.com
17		Attorneys for Defendant EQUIFAX INFORMATION SERVICES, LLC
18		
19	<u>ORDER</u>	
20	IT IS SO ORDERED:	AD-
21	RICHARD F. BOULWARE, II	
22	United States District Judge	
23	DATED this 13th day of November, 2017.	
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